

**SUPREME COURT MINUTES
MONDAY, JUNE 22, 1998
SAN FRANCISCO, CALIFORNIA**

S004784 People, Plaintiff and Respondent
 v.
 Martin James Kipp, Defendant and Appellant
 The judgment is affirmed.

Kennard, J.

We Concur:
George, C.J.
Mosk, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S019708 People, Plaintiff and Respondent
 v.
 James David Majors, Defendant and Appellant
 [W]e affirm the judgment in its entirety.

Brown, J.

We Concur:
George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.

Concurring and Dissenting Opinion by Mosk, J.

2nd Dist. Walter and Janet Hackett, Petitioners
B122503 v.
Div. 7 Los Angeles County Superior Court, Respondent
S071066 Merrill Syphus, Real Party in Interest
Application for stay and petition for review DENIED.

S005502 People, Respondent
v.
David Keith Rogers, Appellant
On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including August 10, 1998.

S013188 People, Respondent
v.
Hector Juan Ayala, Appellant
On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including August 21, 1998.

S064807 In re Lee W. Davis
on
Habeas Corpus
On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response is extended to and including July 20, 1998.

S035348 People, Respondent
v.
Robert Lee Smith, Jr., Appellant
Upon request of appellant for appointment of counsel, Scott F. Kauffman is hereby appointed to represent appellant Robert Lee Smith, Jr. for both the direct appeal and related state habeas corpus/executive clemency proceedings, in the above automatic appeal now pending in this court.

S035769 People, Respondent

v.

James Matthew Heard, Appellant

Upon request of appellant for appointment of counsel, Jonathan P. Millberg is hereby appointed to represent appellant James Matthew Heard for the direct appeal in the above automatic appeal now pending in this court.

S035769 People, Respondent

v.

James Matthew Heard, Appellant

Upon request of appellant for appointment of counsel, Robert E. Boyce is hereby appointed to represent appellant James Matthew Heard for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

S037195 People, Respondent

v.

Jerry Noble Kennedy, Appellant

Upon request of appellant for appointment of counsel, Michael C. Ciruolo is hereby appointed to represent appellant Jerry Noble Kennedy for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

S068530 People, Respondent

v.

Raymond Jay Barthlett, Appellant

Upon request of appellant for appointment of counsel, David J. Macher is hereby appointed to represent appellant on his appeal now pending in this court.

S068763 People, Respondent

v.

Charles W. Sullivan, Appellant

Upon request of appellant for appointment of counsel, Appellate Defenders, Inc. is hereby appointed to represent appellant on his appeal now pending in this court.

S069237 People, Respondent

v.

Juan Carlos Castenada, Appellant

Upon request of appellant for appointment of counsel, Sharon Rhodes is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S070028 People, Respondent

v.

Andrew James Allen, Appellant

Upon request of appellant for appointment of counsel, Barbara Michel is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

Bar
Misc.
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S069483 In re **Robert Lee, #161054**, on Discipline

It is ordered that **Robert Lee** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed December 2, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v.*

State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

S069502 In re **Manton Lawrence Selby, II**, on Discipline

It is ordered that **Manton Lawrence Selby, II**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its order of January 29, 1998, approving the stipulation filed November 26, 1997. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S069532 In re **Iris Lynne Johnson-Bright** on Discipline

It is ordered that **Iris Lynne Johnson-Bright** be suspended from the practice of law for three years, that execution of suspension be stayed, and that she be placed on probation for three years on that condition that she be actually suspended for nine months and until she proves to the State Bar Probation Unit payment of \$2,629 restitution to Juanita Washington (or the Client Security Fund, if appropriate), plus 10% interest per annum from October 29, 1989. If the period of actual suspension exceeds two years, she shall remain suspended until she has shown proof satisfactory to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. She is also ordered to comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed December 29, 1997. It is further ordered that she take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.). It is ordered that she comply with
rule 955,

California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)

S069534 In re **David Michael Shore** on Discipline

It is ordered that **David Michael Shore** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including forty-five days actual suspension, as recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed December 24, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and those costs are payable in accordance with section 6140.7 (as amended effective January 1, 1997).

S069536 In re **Thomas G. Key** on Discipline

It is ordered that **Thomas G. Key** be suspended from the practice of law for six months, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed February 18, 1998. It is further ordered that he take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S069537 In re **Kenneth Dale Fair** on Discipline

It is ordered that **Kenneth Dale Fair** be suspended from the practice of law for two years and until he makes restitution as ordered herein, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for six months and until he makes restitution to Tagrid Darso or the Client Security Fund, if appropriate, in the amount of \$1,200, plus 10% interest per annum from April 17, 1996, and to Benjamin Rosas, or the Client Security Fund, if appropriate, in the amount of \$720, plus 10% interest per annum from March 11, 1996, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of Trials. Should the period of actual suspension exceed two years, he shall remain suspended until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed February 11, 1998. It is also ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

*(See Business & Professions Code, § 6126, subd. (c).)